

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

**NOELIA PALOMO,  
Plaintiff,**

**VS.**

**HOME DEPOT, INC., HOME DEPOT  
INC., STORE # 506 AND RICK LEAL  
STORE MANAGER AND RICK LEAL  
AS AGENT OF HOME DEPOT, INC.,  
Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. M-06-150**

**AMENDED JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

Pursuant to Rule 41 (a)(1) of the Federal Rules of Civil Procedure, Plaintiff Noelia Palomo and Defendants Home Depot U.S.A., Inc. (incorrectly identified as Home Depot, Inc., Home Depot Inc., Store # 506) and Rick Leal hereby stipulate that the above-entitled action may be dismissed with prejudice as to all of Plaintiff Noelia Palomo's claims against all Defendants with each party to bear its own costs of court.

Respectfully submitted,

/s/ Leo Pruneda

Leo Pruneda

State Bar No.: 16373400

Law Office of Leo Pruneda

621 South 10th Street

Edinburg, Texas 78539

Telephone: (956) 383-4822

Facsimile: (956) 383-4491

**ATTORNEY FOR PLAINTIFF**

**NOELIA PALOMO**

/s/ J. Alfred Southerland

J. Alfred Southerland  
State Bar No. 18860050  
One Allen Center  
500 Dallas, Suite 3000  
Houston, Texas 77002-4709  
Telephone: 713/655-5753  
Facsimile: 713/655-0020

**ATTORNEY FOR DEFENDANT  
HOME DEPOT U.S.A., INC.**

**OF COUNSEL:**

**OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.**

500 Dallas, Suite 300  
Houston, Texas 77002-4709  
Telephone: 713/655-5753  
Facsimile: 713/655-0020

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 6th day of December, 2006, a true and correct copy of the foregoing document was forwarded by certified mail, return receipt requested, to the following counsel:

Mr. Leo Pruneda  
Law Office of Leo Pruneda  
621 South 10th Street  
Edinburg, Texas 78539

/s/ J. Alfred Southerland

J. Alfred Southerland

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

**NOELIA PALOMO,  
Plaintiff,**

**VS.**

**HOME DEPOT, INC., HOME DEPOT  
INC., STORE # 506 AND RICK LEAL  
STORE MANAGER AND RICK LEAL  
AS AGENT OF HOME DEPOT, INC.,  
Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. M-06-150**

**ORDER**

Pursuant to the Amended Joint Stipulation of Dismissal filed pursuant to Rule 41 (a)(1) of the Federal Rules of Civil Procedure, Plaintiff Noelia Palomo's action is dismissed with prejudice as to all claims against Home Depot U.S.A., Inc. (incorrectly identified as Home Depot, Inc., Home Depot Inc., Store # 506) and Rick Leal. Each party shall bear its own costs of court.

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE